

Debtor 1 Manuel Fernando Gomez

Debtor 2 Kristin Beth Rizzuto Gomez
(Spouse, if filing)

United States Bankruptcy Court for the: Western District of Texas
(State)

Case number 13-53378-cag

Form 4100R

Response to Notice of Final Cure Payment

10/15

According to Bankruptcy Rule 3002.1(g), the creditor responds to the trustee's notice of final cure payment.

Part 1: Mortgage Information

Name of creditor: US Bank Trust N.A., as trustee of Igloo Series III Trust Court claim no. (if known): 12

Last 4 digits of any number you use to identify the debtor's account: 4 4 3 1

Property address: 8838 Toulouse Street
Number Street

San Antonio, TX 78240
City State ZIP Code

Part 2: Prepetition Default Payments

Check one:

- ☐ Creditor agrees that the debtor(s) have paid in full the amount required to cure the prepetition default on the creditor's claim.
- ☒ Creditor disagrees that the debtor(s) have paid in full the amount required to cure the prepetition default on the creditor's claim. Creditor asserts that the total prepetition amount remaining unpaid as of the date of this response is: \$ *

Part 3: Postpetition Mortgage Payment

Check one:

- ☐ Creditor states that the debtor(s) are current with all postpetition payments consistent with § 1322(b)(5) of the Bankruptcy Code, including all fees, charges, expenses, escrow, and costs.

The next postpetition payment from the debtor(s) is due on: MM/DD/YYYY

- ☒ Creditor states that the debtor(s) are not current on all postpetition payments consistent with § 1322(b)(5) of the Bankruptcy Code, including all fees, charges, expenses, escrow, and costs.

Creditor asserts that the total amount remaining unpaid as of the date of this response is:

- a. Total postpetition ongoing payments due: (a) \$
- b. Total fees, charges, expenses, escrow, and costs outstanding: + (b) \$
- c. **Total.** Add lines a and b. (c) \$ *

Creditor asserts that the debtor(s) are contractually obligated for the postpetition payment(s) that first became due on:

MM/DD/YYYY

* Loan was recently acquired by BSI Financial and Creditor is in the process of reconciling the account. Creditor reserves the right to amend this Response as soon as the reconciliation is completed.

Debtor 1

Manuel Fernando Gomez

First Name

Middle Name

Last Name

Case number (if known)

13-53378-cag

Part 4: Itemized Payment History

If the creditor disagrees in Part 2 that the prepetition arrearage has been paid in full or states in Part 3 that the debtor(s) are not current with all postpetition payments, including all fees, charges, expenses, escrow, and costs, the creditor must attach an itemized payment history disclosing the following amounts from the date of the bankruptcy filing through the date of this response:

- ☐ all payments received;
- ☐ all fees, costs, escrow, and expenses assessed to the mortgage; and
- ☐ all amounts the creditor contends remain unpaid.

Part 5: Sign Here

The person completing this response must sign it. The response must be filed as a supplement to the creditor's proof of claim.

Check the appropriate box::

- ☐ I am the creditor.
- ☒ I am the creditor's authorized agent.

I declare under penalty of perjury that the information provided in this response is true and correct to the best of my knowledge, information, and reasonable belief.

Sign and print your name and your title, if any, and state your address and telephone number if different from the notice address listed on the proof of claim to which this response applies.

X /s/ Kristin A. Zilberstein

Signature

Date 3 / 21 / 2019

Print

Kristin A. Zilberstein

First Name

Middle Name

Last Name

Title

Authorized Agent for Creditor

Company

Ghidotti | Berger LLP

If different from the notice address listed on the proof of claim to which this response applies:

Address

1920 Old Tustin Ave.

Number

Street

Santa Ana, CA 92705

City

State

ZIP Code

Contact phone

(949) 427 - 2010

Email

kzilberstein@ghidottiberger.com

Kristin A. Zilberstein, Esq. (SBN 24104960)
GHIDOTTI | BERGER LLP
 1920 Old Tustin Ave.
 Santa Ana, CA 92705
 Ph: (949) 427-2010
 Fax: (949) 427-2732
 kzilberstein@ghidottiberger.com

Authorized Agent for Creditor
 US Bank Trust N.A., as Trustee of Igloo Series III Trust

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS – SAN ANTONIO DIVISION

In Re:)	CASE NO.: 13-53378-cag
)	
MANUEL FERNANDO GOMEZ and)	CHAPTER 13
KRISTIN BETH RIZZUTO GOMEZ,)	
)	CERTIFICATE OF SERVICE
Debtors.)	
)	
)	
)	
)	
)	

CERTIFICATE OF SERVICE

I am employed in the County of Orange, State of California. I am over the age of eighteen and not a party to the within action. My business address is: 1920 Old Tustin Ave., Santa Ana, CA 92705.

I am readily familiar with the business's practice for collection and processing of correspondence for mailing with the United States Postal Service; such correspondence would be deposited with the United States Postal Service the same day of deposit in the ordinary course of business.

On March 21, 2019, I served the following documents described as:

• **RESPONSE TO NOTICE OF FINAL CURE PAYMENT**

on the interested parties in this action by placing a true and correct copy thereof in a sealed envelope addressed as follows:

(Via United States Mail)

Debtor

Manuel Fernando Gomez
8838 Toulouse
San Antonio, TX 78240

Joint Debtor

Kristin Beth Rizzuto Gomez
8838 Toulouse
San Antonio, TX 78240

Debtor's Counsel

William R. Davis, Jr
Langley & Banack, Inc
745 E Mulberry Ave, Suite 900
San Antonio, TX 78212

Chapter 13 Trustee

Mary K Viegelahn
Chapter 13 Trustee
10500 Heritage Blvd Suite 201
San Antonio, TX 78216

xx (By First Class Mail) At my business address, I placed such envelope for deposit with the United States Postal Service by placing them for collection and mailing on that date following ordinary business practices.

____ Via Electronic Mail pursuant to the requirements of the Local Bankruptcy Rules of the Eastern District of California

xx (Federal) I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on March 21, 2019, at Santa Ana, California

/s / Steven P. Swartzell
Steven P. Swartzell